

- (A) *the motor vehicle is locked; or*
- (B) *there is no reasonable method for the individual to exit the motor vehicle without assistance;*
- (2) *has a good faith and reasonable belief, based on known circumstances, that entry into the motor vehicle is necessary to avoid imminent harm to the individual;*
- (3) *before entering the motor vehicle, ensures that law enforcement is notified or 911 is called if the person is not a law enforcement officer or other first responder;*
- (4) *uses no more force to enter the motor vehicle and remove the individual than is necessary; and*
- (5) *remains with the individual in a safe location that is in reasonable proximity to the motor vehicle until a law enforcement officer or other first responder arrives.*

Sec. 92A.003. **EFFECT ON OTHER LAWS.** *This chapter does not affect limitation under Section 74.151 or 74.152 of a person's liability for good faith administration of emergency care.*

SECTION 2. Chapter 92A, Civil Practice and Remedies Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on May 8, 2017: Yeas 145, Nays 1, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 478 on May 24, 2017: Yeas 145, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 23, 2017: Yeas 31, Nays 0.

Approved June 12, 2017.

Effective September 1, 2017.

**AN ADDITIONAL FEE FOR ISSUING A MARRIAGE LICENSE
TO APPLICANTS WHO ARE NOT RESIDENTS OF THIS STATE
AND THE FORM OF A MARRIAGE LICENSE AND
APPLICATION FOR A MARRIAGE LICENSE**

CHAPTER 695

H.B. No. 555

AN ACT

relating to an additional fee for issuing a marriage license to applicants who are not residents of this state and the form of a marriage license and application for a marriage license.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 2.009, Family Code, is amended by adding Subsection (e) to read as follows:

(e) *A license issued by a county clerk under this section:*

- (1) *must identify the county in which the license is issued; and*
- (2) *may include the name of the county clerk.*

SECTION 2. Section 194.0011(a), Health and Safety Code, is amended to read as follows:

(a) The executive commissioner by rule shall prescribe the format and content of the department form used for the marriage license application. *The form must:*

- (1) *require identification of the county in which the application is submitted; and*
- (2) *allow, but may not require, the name of the county clerk to appear on the application.*

SECTION 3. Section 118.011(b), Local Government Code, as effective until September 1, 2019, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

- (1) Returned Check (Sec. 118.0215) not less than \$15 or more than \$30
- (2) Records Management and Preservation Fee (Sec. 118.0216) not more than \$10
- (3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) not more than \$2
- (4) *Marriage License for Out-of-State Applicants (Sec. 118.018) \$100*

SECTION 4. Section 118.011(b), Local Government Code, as effective September 1, 2019, is amended to read as follows:

(b) The county clerk may set and collect the following fee from any person:

- (1) Returned Check (Sec. 118.0215) not less than \$15 or more than \$30
- (2) Records Management and Preservation Fee (Sec. 118.0216) not more than \$5
- (3) Mental Health Background Check for License to Carry a Handgun (Sec. 118.0217) not more than \$2
- (4) *Marriage License for Out-of-State Applicants (Sec. 118.018) \$100*

SECTION 5. Section 118.018, Local Government Code, is amended by amending Subsection (b-1) and adding Subsection (d) to read as follows:

(b-1) The county clerk shall issue a marriage license without collecting a marriage license fee from an applicant who:

(1) completes a premarital education course described by Section 2.013, Family Code; ~~and~~

(2) provides to the county clerk a premarital education course completion certificate indicating completion of the premarital education course not more than one year before the date the marriage license application is filed with the clerk; *and*

(3) *provides proof satisfactory to the county clerk that the applicant is a resident of this state.*

(d) *If neither applicant for a marriage license provides proof satisfactory to the county clerk that the applicant is a resident of this state, the county clerk may collect an additional fee of \$100 for issuing the marriage license.*

SECTION 6. The change in law made by this Act applies only to a marriage license issued on or after January 1, 2019. A marriage license issued before January 1, 2019, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 4, 2017: Yeas 136, Nays 7, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 555 on May 24, 2017, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 555 on May 28, 2017: Yeas 123, Nays 22, 2 present, not voting; passed by the Senate, with amendments, on May 22, 2017: Yeas 24, Nays 7; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 555 on May 28, 2017: Yeas 24, Nays 6.

Approved June 12, 2017.

Effective June 12, 2017.